

UNITED STATES DISTRICT COURT

for the
Western District of Texas
Pecos Division

FILED

April 18, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: Yvette Lujan
DEPUTY

United States of America
v.

Sanong Jonathan David PATTHAYSONG

Case No. 4:22-mj-208*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 04/13/2023 in the county of Presidio in the
WESTERN DISTRICT OF TEXAS, the defendant(s) violated:

*Code Section**Offense Description*

8 U.S.C. 1324(a)(1)(A)(v)(I) & Conspiracy to transport aliens
(b)(i)

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

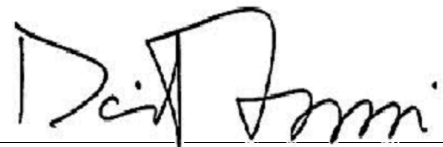
\s\ Will Werner

Complainant's signature

Will Werner, Special Agent, HSI

Printed name and title

Complaint sworn to telephonically and
electronically signed on this date.
FED.R.CRIM.P. 4.1(b)(2)(A)

Date: 04/18/2023City and state: Alpine, Texas

Judge's signature

Honorable Judge David B. Fannin

Printed name and title

AFFIDAVIT

On April 9, 2023, Homeland Security Investigations (HSI) Presidio issued a Be On The Lookout (BOLO) for a silver in color Honda sedan bearing Missouri registration BG4-J1B. Earlier that same day, the vehicle had been observed at a local hotel in Presidio, Texas. Based on agents' observation, agents believed the operator and the vehicle would soon be involved in illicit activity.

On April 13, 2023, at approximately 1305 hours, the beforementioned vehicle was encountered by United States Border Patrol Agents (BPA's) working at the Highway 118 Checkpoint. Upon arriving at the checkpoint, BPA's identified the driver and sole occupant as Sanong Jonathan David PATTHAYSONG. BPA's noticed that the vehicle's interior was unusually dirty and contained pieces of brush from the desert on the backseats of the vehicle, which is an indicator of human smuggling. Furthermore, BPA's noticed PATTHAYSONG was visibly nervous, shaking, and avoiding eye contact. PATTHAYSONG and the vehicle were referred to secondary for further inspection.

In secondary, PATTHAYSONG informed agents he was traveling from the Big Bend National Park and en route to a city that began with the letter "S." When BPA's asked him what he was doing in the Big Bend National Park, PATTHAYSONG stated he had been working. BPA's asked for and were granted consent by PATTHAYSONG to conduct a search of the vehicle's trunk. When BPA's asked for consent to search the interior of the vehicle, PATTHAYSONG denied consent.

BPA's requested a human/narcotic detection canine respond to the Highway 118 Checkpoint to assist. A canine subsequently arrived and after conducting a free air sniff of the vehicle, a positive alert was received, indicating the possible presence of concealed humans and/or narcotics. In the rear seat of the vehicle, BPA's located a black backpack. A search of the backpack resulted in the discovery of one glass jar containing a green leafy substance, that later field tested positive for marijuana. BPA's also discovered a glass pipe containing methamphetamine residue from inside the backpack. A loaded Glock 22 handgun was later located in the vehicle, concealed within a natural void behind the glove box.

PATTHAYSONG was advised of his Miranda Statement of Rights by BPA's. PATTHAYSONG stated he understood his rights and agreed to speak to agents. HSI Presidio agents responded to the Highway 118 Checkpoint to initiate their investigation.

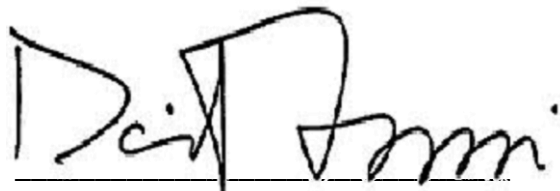
PATTHAYSONG initially informed HSI Agents he had traveled to the Presidio area for the purpose of locating a route which in the future would be utilized to smuggle undocumented non-citizens (UNC's) and narcotics into the United States. PATTHAYSONG first stated he was not going to be the person smuggling the UNC's and was only supposed to be coordinating the logistics of the operation. However, he later changed his story and stated he was indeed going to be the person smuggling the UNC's and was going to be paid \$2500.00 USD per smuggled UNC. When asked if he knew what nationality the UNC's were, PATTHAYSONG stated he didn't know, and only knew they were "illegal." PATTHAYSONG stated he was currently traveling to

Alpine, TX and was waiting for further instructions by other members of the human smuggling organization as to when the UNC's would be ready to be picked up. PATTHAYSONG stated he believed he was picking up five (5) UNC's. PATTHAYSONG was later asked why he brought the handgun with him and stated it was for protection from the cartel. PATTHAYSONG admitted to being addicted to, and a habitual user of, methamphetamine.

I make this affidavit on the basis of my personal knowledge and information furnished to me by other law enforcement officers.

\s\ Will Werner

Will Werner
HSI Special Agent

A handwritten signature in black ink, appearing to read "David B. Fannin". The signature is stylized with a large "D" and "F".

David B. Fannin
U.S. Magistrate Judge